

PROCLAMATION

BY THE

Governor of the State of Texas

41-1053

REPRODUCED FROM THE
HOLDINGS OF THE
TEXAS STATE ARCHIVES

TO ALL TO WHOM THESE PRESENTS SHALL COME:

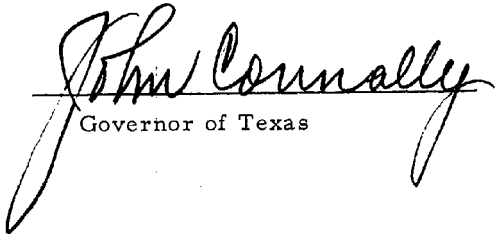
I disapprove, and am vetoing and filing with the Secretary of State House Bill 753. The Minimum Foundation Program Act, Paragraph a, Subsection (4), Section 1, Article III of Chapter 334, Acts of the 51st Legislature, Regular Session, 1949 provides for "Exceptional Children Teacher Units" as part of the Foundation School Program. Instruction is presently provided for the physically handicapped, mentally retarded and the emotionally disturbed under this Section. The 59th Legislature passed two bills, Senate Bill 306 and House Bill 753, that expand services provided for exceptional children.

The emotionally disturbed program, authorized for a pilot study by the 58th Legislature, was expanded from 6 to 20 units by Senate Bill 306, adopted by the Legislature on May 20, 1965. I signed this bill June 15, 1965. House Bill 753, passed May 28, 1965, adds to the definition of "exceptional children", "pregnant girls residing in or under the care of licensed maternity homes" but does not expand the emotionally disturbed pilot program from 6 to 20 units.

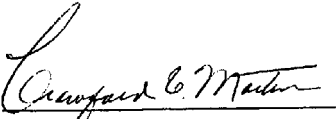
The two bills, in amending the same Section of the Foundation School Program, conflict and therefore only one can operate to amend this Section of the Foundation School Program. Attorney General's Opinion V-990, affirmed by Ex Parte Maria de Jesus de la O., Tex. Crim., 227 SW 2d 212 (1950), states that conflicting laws passed by the same Legislature are resolved in favor of the latest expression of legislative will. If I sign House Bill 753, it would prevail since it passed eight days after Senate Bill 306. While the bill authorizes needed instruction for some persons unable to attend our public schools, it would do so at the expense of an urgently needed accelerated program for emotionally disturbed children.

House Bill 753 was received in the Governor's Office on May 29, 1965, less than 10 days prior to the adjournment of the Regular Session of the 59th Legislature, and in accordance with Article IV, Section 14 of the Constitution of Texas, the Bill, together with this Proclamation, is filed with the Secretary of State.

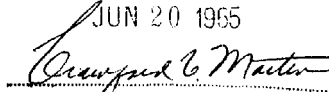
IN TESTIMONY WHEREOF, I
have hereunto signed my name
officially and caused the seal of
State to be affixed hereto at
Austin this 18 day of June, 1965.


Governor of Texas

By the Governor:


Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
.....8:45 p.m.....O'CLOCK

JUN 20 1965

Secretary of State